

# State of South Dakota

## EIGHTY-SEVENTH SESSION LEGISLATIVE ASSEMBLY, 2012

147T0031

### HOUSE BILL NO. 1117

Introduced by: Representatives Feickert, Blake, Cronin, Dennert, Elliott, Hoffman, Kirschman, Kloucek, Olson (Betty), Schaefer, and Wink and Senators Cutler, Brown, Frerichs, and Maher

1 FOR AN ACT ENTITLED, An Act to provide for the taking of muskrats by shooting under  
2 certain conditions.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 41-8-19 be amended to read as follows:

5 41-8-19. Except as authorized by chapter 41-6 and this chapter, no person may set or operate  
6 any trap, hunt, catch, take, trap, or kill any fur-bearing animal. A violation of this section is a  
7 Class 2 misdemeanor.

8 Section 2. That § 41-8-24 be amended to read as follows:

9 41-8-24. No person may hunt any mink or muskrat with the aid of any dog, or dig, disturb,  
10 or molest any mink den or beaver house for the purpose of capturing any of these animals. No  
11 person may use poison, gas, or smokers of any kind to kill, take, or capture mink, muskrats, or  
12 beavers. No person may shoot or spear muskrats at any time except under permit as provided  
13 in § 41-8-23 or except as provided in section 3 of this Act. Any violation of this section is a  
14 Class 2 misdemeanor.



1       Section 3. That chapter 41-8 be amended by adding thereto a NEW SECTION to read as  
2 follows:

3       Muskrats may be hunted by shooting with rimfire cartridges of .22 caliber or smaller,  
4 muzzleloaders of .45 caliber or smaller, shotguns, or legal archery equipment. The Game, Fish  
5 and Parks Commission shall promulgate rules pursuant to chapter 1-26 to specify hunting  
6 seasons, hunting units, licensing requirements, and other restrictions or requirements for the  
7 hunting or taking of muskrats necessary for the proper management of wildlife.